

LEGAL NOTICE

IF YOU WERE AN OWNER OF RESIDENTIAL PROPERTY IN MIAMI-DADE COUNTY AND ENTERED INTO A LEASE WITH A LOW-INCOME TENANT AND A HAP CONTRACT WITH MIAMI-DADE FROM APRIL 29, 2000 TO OCTOBER 22, 2009, YOUR RIGHTS MAY BE AFFECTED BY THIS PENDING CLASS ACTION LAWSUIT.

Para una notificacion en Espanol, llama o visitar nuestro website www.miamidade.gov/housing

A settlement has been reached with Miami-Dade County ("the County") on behalf of owners of low-income housing who allegedly did not timely receive the initial housing assistance rental payments in a timely fashion. This settlement provides cash benefits and injunctive relief to class members. The Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida will have a hearing to decide whether to give final approval to the settlement, so that the benefits may be distributed.

WHAT IS THIS ABOUT?

Plaintiff in this case brought a class action lawsuit on behalf of owners of low-income housing who allegedly did not timely receive the initial housing assistance rental payments from the County and brought counts for violations of 42 USC § 1983 and breach of contract, and also sought injunctive relief. The County denied the allegations. The Court has preliminarily certified a settlement class in this action to consider this settlement. This notice is not an expression of opinion by the Court as to the merits of any of the claims or defenses asserted by the parties. It is published to inform you about the litigation and the proposed settlement so that you may decide whether or not you should object to or opt out of the proposed settlement.

WHO IS INCLUDED?

The Class includes all owners of residential property in Miami-Dade County who have entered into a lease with a low-income tenant and a HAP contract with the County from April 29, 2000 to October 22, 2009, where the County has not paid the initial rental payment until after the first two calendar months of the first day of the initial term of the lease and for which Miami-Dade has not paid a penalty.

TERMS OF PROPOSED SETTLEMENT

Under the Settlement Agreement, a Common Fund was created which will total \$1.15 million to be disbursed to consumers, after attorneys' fees, costs, and the Named Plaintiff's Incentive Award are taken out. Class Counsel intends to request from the Court an award of \$275,000 (23.9% of the Common Fund) for their attorneys' fees and the County has agreed to not object to this request. The Claim Form which must be completed and returned is included with this Notice. Additionally, the County has agreed to certain policy changes which will educate Section 8 Homeowners on their rights to the payment of late fees, and make it easier for Section 8 Homeowners to make claims for late fee penalties. A settlement agreement, available at www.miamidade.gov/housing describes all of the details about the proposed settlement.

HOW DO I MAKE A CLAIM FOR MONEY?

Eligible Class Members must fill out the claim form included with this Notice, sign it, include the documentation it requires (if any), and mail it to the address on the form. A copy of the claim form is also available on www.miamidade.gov/housing, or by calling (800) 725-7013 and requesting one.

SETTLEMENT FAIRNESS HEARING

The Court will hold a hearing in Courtroom 1001, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, 73 West Flagler St., Miami, FL 33130 at 1:30 p.m. on March 1, 2010 to determine whether or not the proposed settlement is fair, reasonable, and adequate and should be approved.

ELECTION BY CLASS MEMBERS

Class Members have a choice of whether or not to remain in the Class. Either choice will have its consequences, which you should understand before making your decision.

If you wish to exclude yourself from the class, which would result in you not receiving any of the Settlement Funds, but may permit you to file a separate lawsuit, you must send a written request by mail saying that you want to be excluded from *RGN Properties, Inc. v. Miami-Dade County*, Case No. 05-16420. Be sure to include your full name, address, signature, and date. You must mail your request for exclusion postmarked by February 12, 2010 to RGN Exclusions, CAC Services Group, 1551 Southcross Dr W, Burnsville, MN 55306. In addition you must also file a written request for exclusion with the Clerk of the Court (address below) no later than February 12, 2010. You must perform both of the above requirements in order to opt-out of the Class. You cannot ask to be excluded by any other means.

If you do nothing you will automatically be part of the class. However, you will not receive any settlement proceeds unless you file a claim form showing an entitlement to part of the settlement.

This claim form must be filed by February 24, 2010. A copy of the claim form is being sent with this notice. Please note, if you remain part of the class but do not timely file a claim form you will be barred from receiving any part of this settlement or filing a separate lawsuit.

If you wish to comment in support of or in opposition to any aspect of the proposed settlement, you may submit objections to the settlement. To object, send a letter saying that you object to the proposed settlement in *RGN Properties, Inc. v. Miami-Dade County*, Case No. 05-16420. Be sure to include the following: (1) your name, address, telephone number, email address (if available), and your signature, (2) the case name and case number, (3) any documents you have that show you are a member of the Class, (4) the reasons why you object to the settlement, accompanied by any legal support for the objection, (5) name and address of your attorney; and (6) indicate whether you or your attorney will appear at the fairness hearing listed above. The objection must be filed with the County Clerk, Harvey Ruvin, Clerk of Court, Clerk of the Eleventh Judicial Circuit, Miami-Dade County Courthouse, 73 West Flagler St., Suite #242, Miami, FL 33130 on or before February 12, 2010, and copies sent via First Class Mail to Lead Class Counsel, Lance A. Harke, P.A., Harke & Clasby, LLP, 155 South Miami Ave., Suite 600, Miami, FL 33130, and the County Attorney's Office, Terrence A. Smith, 111 NW 1st Street, Suite 2810, Miami, Florida 33128. Further instructions on objections and opt-out procedures may be obtained by calling the Settlement Administrator at (800) 725-7013.